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#### AMENDMENTS TO THE CLAIMS

A detailed listing of all claims that are, or were, in the present application, irrespective of whether the claim(s) remains under examination in the application are presented below. The claims are presented in ascending order and each includes one status identifier.

Please amend the claims as follows:

#### LISTING OF CLAIMS

1. (currently amended) A frozen unproofed, unbaked biscuit swirl capable of being baked without an intermediate thawing or proofing step comprising:
  - a) a nonlaminated biscuit dough comprising flour, water, chemical leavening system, sugar and fat;
  - b) a smear layer having a water activity that is compatible with said biscuit dough;  
said biscuit dough being formed in a swirl with the smear layer located between adjacent portions of the biscuit dough, said biscuit swirl being in a frozen, unproofed state  
wherein said biscuit swirl, when baked, has a baked specific volume of at least about 2.2, and does not require a thawing or proofing step prior to baking.
2. (original) The biscuit swirl of claim 1, wherein said biscuit dough further comprises protein.
3. (original) The biscuit swirl of claim 2, wherein said biscuit dough comprises ingredients in the following amounts:

flour	40-60%
water	20-30%
chemical leavening system	1-5%
sugar	3-10%
fat	12-20%
protein	1-10%.

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4. (original) The biscuit swirl of claim 1, wherein said biscuit dough has a water activity of between 0.93 and 0.97, and the smear layer has a water activity between 0.77 and 0.84.
5. (original) The biscuit swirl of claim 1, wherein the overall weight of said biscuit swirl is less than 2 oz.
6. (original) The biscuit swirl of claim 1, wherein the overall weight of said biscuit swirl is greater than 3 oz.
7. (original) The biscuit swirl of claim 1, wherein the overall weight of said biscuit swirl is greater than 5 oz.
8. (original) The biscuit swirl of claim 1, wherein the overall weight of said biscuit swirl is greater than 7 oz.
9. (original) The biscuit swirl of claim 1, wherein said smear layer is sweet.
10. (original) The biscuit swirl of claim 1, wherein said smear layer is savory.
11. (original) The biscuit swirl of claim 1, wherein said smear layer is cheese flavored.
12. (original) The biscuit swirl of claim 1, wherein said smear layer comprises
  - a) margarine or butter,
  - b) high fructose corn syrup,
  - c) sucrose, and
  - d) flavorant.
13. (original) The biscuit swirl of claim 12, wherein said flavorant is cinnamon.
14. (original) The biscuit swirl of claim 12, wherein said flavorant is maple syrup.
15. (original) The biscuit swirl of claim 12, wherein said flavorant is a fruit flavor.

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16. (currently amended) A method of preparing a biscuit swirl comprising
- a) providing a frozen, unproofed, unbaked biscuit swirl of claim 1; and
  - b) baking said biscuit swirl without ~~an intermediate~~ a thawing or proofing step prior to baking.